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SENORX, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

HOLOGIC, INC., CYTIC CORPORATION and
HOLOGIC L.P.,

Plaintiffs,

v.

SENORX, INC.,

Defendant.

CASE NO.: C08-0133 RMW (RS)

**CIVIL LOCAL RULE 79-5(D)
ADMINISTRATIVE MOTION TO
FILE UNDER SEAL
CONFIDENTIAL PORTIONS OF
DEFENDANT SENORX, INC.'S
SUPPLEMENTAL CLAIM
CONSTRUCTION BRIEF AND THE
ENTIRETY OF CONFIDENTIAL
EXHIBITS 18 AND 19 TO THE
DECLARATION OF ADAM D.
HARBER IN SUPPORT THEREOF**

Date: June 25, 2008
Time: 2:00 p.m.
Ct. Rm: Courtroom 6, 4th Floor
Judge: Hon. Ronald M. Whyte

PLEASE TAKE NOTICE that pursuant to Civil Local Rule 79-5(d), Defendant SenoRx, Inc. ("SenoRx") hereby moves the Court for an order to file under seal select portions of Defendant SenoRx, Inc.'s Supplemental Claim Construction Brief and the Entirety of Confidential Exhibits 18 and 19 to the Declaration of Adam D. Harber in Support of SenoRx's Supplemental Claim Construction Brief.

SenoRx brings this motion because the Supplemental Claim Construction Brief and Exhibits 18 and 19 each contain information designated by Plaintiffs as "Highly Confidential." A protective order governing how confidential and proprietary information produced during the case shall be treated by the parties has been entered in this case [Docket No. 154]. In accordance with that protective order and in compliance with Civil Local Rule 79-5(d), SenoRx seeks to withhold the foregoing information designated by Plaintiffs under the protective order from the public versions of its papers. In compliance with Civil Local Rule 79-5(d), SenoRx has created confidential and non-confidential versions of its Supplemental Claim Construction Brief.

For the foregoing reasons, SenoRx respectfully requests that the Court enter an order allowing SenoRx to file the following documents under seal:

- 1) select portions of Defendant SenoRx, Inc.'s Supplemental Claim Construction Brief;
- and
- 2) the entirety of Exhibits 18 and 19 to the Declaration of Adam D. Harber in Support of SenoRx's Responsive Claim Construction Brief.

Dated: June 20, 2008

WILSON SONSINI GOODRICH & ROSATI
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By: /s/Natalie J. Morgan

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Attorneys for Defendant and Counterclaimant
SENORX, INC.

CERTIFICATE OF SERVICE
U.S. District Court, Northern District of California,
Hologic, Inc. et al. v. SenoRx, Inc.
Case No. C-08-0133 RMW (RS)

I, Kirsten Blue, declare:

I am and was at the time of the service mentioned in this declaration, employed in the County of San Diego, California. I am over the age of 18 years and not a party to the within action. My business address is 12235 El Camino Real, Ste. 200, San Diego, CA, 92130.

On June 20, 2008, I served a copy(ies) of the following document(s):

CIVIL LOCAL RULE 79-5(D) ADMINISTRATIVE MOTION TO FILE UNDER SEAL CONFIDENTIAL PORTIONS OF DEFENDANT SENORX, INC.'S SUPPLEMENTAL CLAIM CONSTRUCTION BRIEF AND THE ENTIRETY OF CONFIDENTIAL EXHIBITS 18 AND 19 TO THE DECLARATION OF ADAM D. HARBER IN SUPPORT THEREOF

DECLARATION OF NATALIE J. MORGAN IN SUPPORT OF SENORX'S CIVIL LOCAL RULE 79-5(D) ADMINISTRATIVE MOTION TO FILE UNDER SEAL CONFIDENTIAL PORTIONS OF DEFENDANT SENORX, INC.'S SUPPLEMENTAL CLAIM CONSTRUCTION BRIEF AND THE ENTIRETY OF CONFIDENTIAL EXHIBITS 18 AND 19 TO THE DECLARATION OF ADAM D. HARBER IN SUPPORT THEREOF

[FILED UNDER SEAL] CONFIDENTIAL VERSION OF DEFENDANT SENORX, INC.'S SUPPLEMENTAL CLAIM CONSTRUCTION BRIEF

[FILED UNDER SEAL] EXHIBIT 18 TO DECLARATION OF ADAM D. HARBER IN SUPPORT OF DEFENDANT SENORX, INC.'S SUPPLEMENTAL CLAIM CONSTRUCTION BRIEF

[FILED UNDER SEAL] EXHIBIT 19 TO DECLARATION OF ADAM D. HARBER IN SUPPORT OF DEFENDANT SENORX, INC.'S SUPPLEMENTAL CLAIM CONSTRUCTION BRIEF

on the parties to this action by placing them in a sealed envelope(s) addressed as follows:

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1 ☒ (BY MAIL) I placed the sealed envelope(s) for collection and mailing by following the
2 ordinary business practices of Wilson Sonsini Goodrich & Rosati, 12235 El Camino Real,
3 Ste. 200, San Diego, CA. I am readily familiar with WSGR's practice for collecting and
4 processing of correspondence for mailing with the United States Postal Service, said
5 practice being that, in the ordinary course of business, correspondence with postage fully
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7 collection.

8 ☒ (BY ELECTRONIC MAIL) I caused such document(s) to be sent via electronic mail
9 (email) to the above listed names and email addresses.

10 ☐ (BY CM/ECF) I caused such document(s) to be sent via electronic mail through the Case
11 Management/Electronic Case File system with the U.S. District Court for the Northern
12 District of California.

13 I declare under penalty of perjury under the laws of the United States that the above is true
14 and correct, and that this declaration was executed on June 20, 2008.

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Kirsten Blue